

REMARKS

Claims 1-4, 6, and 8-22 are currently pending in the application. New claim 22 has been added.

On page 3 of the Office Action, the Examiner rejected claims 1-4, 6, and 8-18 under 35 U.S.C. § 101 due to the claimed invention allegedly being directed to non-statutory subject matter. The Examiner alleged that the claims lack a positive recitation of a hardware element enabling the claims to be interpreted as a machine.

Applicants respectfully submit that the claims clearly recite hardware elements. For example, claim 1 specifically recites, "a monitoring section." Moreover, the claim also recites other tangible components such as an address list. Further still, claim 1, for example, specifically recites, "[a]n apparatus," which corresponds to the computer of the present invention.

Applicants respectfully submit that Section 2106 (IV)(B)(2)(b)(ii) of the Manual of Patent Examining Procedure indicates that if a claim identifies the physical structure of a machine in terms of its hardware *or hardware and software combination*, the claim defines a statutory product. In light of the foregoing, Applicants respectfully submit that claim 1, for example, clearly recites at least hardware. Therefore, the claim is patentable under 35 U.S.C. § 101, as the claim is clearly directed to a machine. The remaining claims are also patentable under 35 U.S.C. § 101 for at least the reasons presented for claim 1. Withdrawal of the rejection is respectfully requested.

On page 4 of the Office Action, claims 1-4, 6, and 8-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,631,496 B1 (Li) in view of U.S. Patent No. 6,012,090 (Chung).

Li is directed to a hypermedia database for managing bookmarks, which allows a user to organize hypertext documents for querying, navigating, sharing, and viewing. According to Li, the database parses metadata from bookmarked documents and indexes and classifies the documents.

Chung is directed to a registration applet embedded in a registration page of a browser program. According to Chung, the applet allows a user to associate a user-specified group name with a plurality of UTRL's, HTTP POST, or GET requests or other network service identifiers such that the group name designates a category of information provided by

corresponding network services. Chung uses a retry mode in which a different network service identifier in a selected group is tried after an access failure of another identifier. The access applet sets up a timeout period for each request of the selected group in accordance with a user-specified retry parameter. According to Chung, the access applet sequentially sends out the first service request in the group, waiting for a response to that request before sending the next request in the group. See Chung, column 8, lines 10-26.

Applicants respectfully submit that independent claims 1 and 19-21 are patentable over the references, as neither Li nor Chung, alone or in combination, discloses or suggests, “. . . if no input is supplied over a predetermined time period with respect to reference to any of the web sites, said updating section tries to access each of the addresses contained in said address list, and deletes an address from said address list if the number of times failure has occurred continuously becomes equal to a predetermined threshold value by failure of said tries,” as recited in independent claim 1, for example.

On page 5 of the Office Action, the Examiner acknowledged that Li does not disclose the above-identified feature of the claims. Applicants respectfully submit that Li simply deletes “dead bookmarks” that have not been visited in a specified period of time. In contrast to the present invention, Li’s deletion is not concerned with a number of times access failure has occurred. Rather, Li simply deletes if a bookmark has not been visited in a specified period of time.

The Examiner alleged, however, that Chung “explicitly discloses” the feature. Applicants respectfully submit that Chung simply discloses a timeout period for sending a request. However, in contrast to the present invention, Chung does not try to *access each address* contained in an address list when no input is supplied. Rather, as Chung specifically states, when the first request in the group fails to receive a response within a designated timeout period, the access applet simply sends out the next request. See Chung, column 8, lines 19-22. Therefore, the access applet in Chung does not try to access each address.

In light of the foregoing, Applicants respectfully submit that independent claims 1 and 19-21 are patentable over the references, as neither Li nor Chung, alone or in combination, discloses or suggests the above-identified feature of the present invention. As dependent claims 2-4, 6, and 8-18 depend from independent claim 1, the dependent claims are patentable over the reference for at least the reasons presented for independent claim 1.

Applicants respectfully submit that new claim 22 is patentable over the references, as neither Li nor Chung, alone or in combination, discloses or suggests, "recording a frequency of access to each website address in a website address list; and adding a particular website address to the website address list when the frequency of access to said particular website address becomes equal to a predetermined threshold value," as recited in claim 22.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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